UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.390
5 June 1997

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Fifteenth session

SUMMARY RECORD OF THE 390th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 2 June 1997, at 10 a.m.

Chairperson: Miss MASON

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GE.97-16857 (E)

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 6) (continued)

Initial report of Azerbaijan (CRC/C/11/Add.8; CRC/C/Q/AZER.1)

1. At the invitation of the Chairperson, Mr. Efendiyev, Mr. Karayev, Mr. Radjabov, and Ms. Evazova (Azerbaijan) took places at the Committee table.

2. The CHAIRPERSON welcomed the delegation of Azerbaijan and invited it to introduce the initial report of the Government of Azerbaijan (CRC/C/11/Add.8).

3. Mr. EFENDIYEV (Azerbaijan) said that the Convention held particular importance for the Republic of Azerbaijan. Following its achievement of independence in 1991, the country had rapidly taken strides in the development of a democratic society based on individual freedom, human rights and the rule of law. Azerbaijan was willing to enter into any form of international cooperation which would promote those fundamental principles.

4. One of the primary concerns of Azerbaijan was the establishment of peace and security in the region. Regrettably, since 1988 the country had been engaged in an undeclared war with Armenia, which had seized 20 per cent of its territory. Hundreds of thousands of Azerbaijani had been driven from their homes. In fact, there were currently more than one million refugees in Azerbaijan, two thirds of whom were women and children. Twenty thousand persons had been killed in the war; another 100,000 had been wounded. Close to 1,000 had been captured. The hostages included children, in contravention of the fundamental precepts of international law, inter alia article 38, paragraphs 1 and 4, of the Convention; Azerbaijan required support from the international community in enforcing those provisions.

5. The war had given rise to a major social and economic crisis, which had significantly affected demographic indicators. The number of children who had lost one or both parents had more than doubled, particularly in the occupied regions. Furthermore, the breakdown of economic relations with the former Soviet Union, and the transition to a market economy, had exacerbated the economic crisis. In the occupied regions, pre-school establishments, general education schools, technical and vocational schools, teacher training institutes and sports facilities had been destroyed, affecting many thousands of students. Educational institutions were currently being used to house refugees and displaced persons, which disrupted the educational process.

6. In those circumstances, the Government had been obliged to identify and introduce additional child protection measures. Urgent measures had been taken to lessen the impact of the war, including the establishment of many new kindergartens and schools, some in refugee areas. By order of the Cabinet of Ministers, a large number of measures aimed at improving the situation of refugee children and forced migrants were being put into effect. Increased governmental assistance was being granted to families with children, and special protection measures had been adopted in order to provide such assistance to orphans and to children under the guardianship of the State. A

draft Act on the rights of the child, which was under consideration by the National Assembly, was designed to ensure the political, social, economic, and cultural protection of mothers, children and families, and to protect the Azerbaijani people against genocide.

7. In 1992, the National Assembly had adopted the Education Act, establishing compulsory basic education for grades 1 through 8, and extending the right to general education to all children and young people regardless of race, religion, national origin, or parental status. The Ministry of Education and the Ministry of Youth and Sports Affairs were working to shape a youth policy, which included emphasis on cultural and aesthetic development.

8. Azerbaijan had many State medical facilities for children, including children's polyclinics and children's divisions within adult clinics. State health services provided preventive care; in 1994 thousands of persons had been vaccinated against poliomyelitis and tuberculosis and measures had also been taken recently to combat infectious diseases. On the basis of WHO recommendations concerning immunization of children under the age of six years, Azerbaijan had introduced the use of vaccination prescriptions. Furthermore, a massive vaccination campaign had been conducted between 1993 and 1996 to combat a sharp increase in diphtheria, the necessary medical supplies being provided by UNICEF. In 1997, over 20,000 disabled children under the age of 16 had received special allowances, over 2,000 children had received orthopaedic assistance, and others had benefited from wheelchairs, prostheses, and rehabilitation services.

9. The Government had established a list of enterprises where, owing to difficult or dangerous working conditions, children were forbidden to work.

10. For socio-economic reasons, crime among children had increased in recent years in Azerbaijan. Under current law, children over the age of 16 were deemed criminally responsible; whereas children between the ages of 14 and 16 were held responsible only in the case of murder. If, in the view of a court, imprisonment of a child under the age of 18 was undesirable, special rehabilitation measures were available to assist him. The provision of legal aid to minors was mandatory. The statistics showed that crimes were mainly committed by minors who did not attend school and were unemployed, a phenomenon related to both the war and the economic crisis. In 1994, the Government had launched a programme to combat crime among minors, which involved the establishment of social policies designed to improve the lives of young people in general.

11. Azerbaijan legislation prohibited the use by children of narcotics and other addictive drugs and established penalties for incitement to their use. Measures had also been taken in the schools to combat the illegal use of narcotics, including the dissemination of educational bulletins to children and teachers and the organization of conferences and round tables. There were staff psychologists specialized in the problem of narcotic use by young people.

12. The Children's Fund of the Azerbaijani Republic, established to mobilize society on behalf of children, was currently focusing its attention on the problem of child refugees, children in displaced families and children

receiving Government assistance. In conjunction with the Ministry of Health, it had set up a health centre for the prevention and treatment of the most common child ailments. "Istedad", a public service organization, had been set up to identify and assist gifted children. There were many child-related public organizations operating in Azerbaijan, among them the Children's League, which endeavoured to secure the release of children taken hostage or imprisoned during the Armenian occupation.

13. International organizations were assisting Azerbaijan in implementing the Convention and UNICEF had provided generous assistance to refugees, families, and children. In cooperation with the Ministry of Youth and Sports Affairs and the Ministry of Education, it had launched a project for the establishment of a job-related rehabilitation centre. A National Council had been established and a national programme had been launched to promote the development of children and adolescents, and to provide assistance to families in need.

14. He wished to assure the Committee that his Government was committed to ensuring the implementation of the Convention in Azerbaijan.

15. The CHAIRPERSON invited questions and comments from members of the Committee on the "General Measures of Implementation" (arts. 4, 42 and 44, para. 6, of the Convention; questions Nos. 1 to 10 in the Committee's list of issues (CRC/C/Q/AZER/1)). She drew attention to the written replies of the Government of Azerbaijan, which had been circulated to members.

16. Mrs. SARDENBERG said that the report of Azerbaijan did not fully conform with the Committee's General Guidelines regarding the form and contents of periodic reports. However, the written replies that had been furnished partly compensated for that failure. Paragraphs 46 and 47 of the report (CRC/C/11/Add.8) indicated that no machinery had been devised to ensure the implementation of human rights or children's rights. That was a matter raised in question No. 5 of the list of issues; but the written replies had failed to provide clarification.

17. Paragraph 48 of the report stated that a draft Act on the rights of the child was under consideration by the National Assembly. It would be useful to know whether that legislation had been drafted in conformity with international human rights instruments, and with the Convention in particular, and what were its prospects of adoption. Further information would be welcome on procedures for the collection of data, as well as on the role of the Government and the Ministries in that process.

18. Ms. KARP said that neither the report nor the written answers provided indicated how coordination of the implementation of children's rights worked in practice in Azerbaijan. How did the Commission on Minors' Affairs function on a day-to-day basis? Was it a decision-making body and what was its budget?

19. Furthermore, the report gave no indication of the existence of a general action plan for the implementation of children's rights. Information was needed concerning the manner in which resources were used for that purpose. Information was also lacking concerning the amount of international aid furnished to Azerbaijan that was used for the benefit of children.

20. It was important to know how child-care professionals, especially social workers and psychologists, were trained in Azerbaijan. From the report it appeared that there was insufficient manpower to deal satisfactorily with the implementation of children's rights. That was especially significant given the problems experienced by children in trauma and their need for psychological rehabilitation.

21. She would also like to be informed regarding the extent to which the planned new legislation expressed the innovative ideas embodied in the Convention, not only in terms of provision for education and health but also in relation to the empowerment and participation of children and the consideration of their best interests.

22. Had academic institutions or non-governmental organizations carried out studies with a view to developing policies and determining implementation priorities?

23. Mr. RABAH said that, according to the initial report of Azerbaijan, the country's difficulties resulted mainly from the wars in which it was involved, especially with Armenia. However, it would be useful to know what plans had been drawn up for the country's redevelopment in social, economic and educational terms? That was particularly important in relation to children's rights.

24. Azerbaijan's written answers referred to a budgetary provision of millions of dollars for expansion of action in the social and cultural fields in 1997. She wished to know how that sum was to be allocated and what would be the duration of the different projects to be undertaken.

25. Finally, there was a lack of detailed statistics in Azerbaijan's initial report. Further data should be provided.

26. Ms. OUEDRAOGO said that the report submitted had been difficult to read because the Committee's reporting guidelines had not really been followed. She would like to know how the report had been prepared and whether NGOs had participated in the drafting process.

27. It might have been preferable for Azerbaijan to have established a single national mechanism for coordination, supervision and evaluation of the implementation of the Convention. She would like to know what was the role of the Commission for Minors' Affairs set up within various national ministries and how the draft Code on Children's Rights had been drawn up? What consultations had taken place and did the Code take account of all the Convention's provisions?

28. According to the report, the Convention had been translated into Azeri and disseminated at various levels of society, including among families and in schools. She would like to know how the Convention was viewed among the population at large and especially among children. Were children demanding respect for their rights?

29. Information had been furnished concerning expenditure on education, health and culture. What proportion of the budget did each of those sectors receive.

30. Apart from UNICEF, which other international organizations were active in Azerbaijan on behalf of children; how many NGOs were working in that area and how did the Government coordinate the activities of the different bodies concerned?

31. Mr. KOLOSOV asked whether the text of the Convention was available in Russian and Armenian, given that Azerbaijan had minority groups of those two nationalities among its population.

32. He also asked whether Azerbaijan was a party to the 1949 Geneva Conventions and to the Additional Protocols of 1977. If not, the Government should take steps to remedy that situation, given the conflicts in which Azerbaijan was involved.

33. According to the report, problems had been encountered in monitoring the implementation of the Convention. Were NGOs able to carry out such monitoring and, if so, in what areas? Which public organizations were involved in the official monitoring process?

34. Finally, she would like to know whether the budget of the Children's Fund was financed by means of voluntary contributions or from the State budget.

35. Ms. MOKHUANE said that the report indicated that the Convention had been translated into various languages and distributed to schools. However, reports from NGOs stated that young people were unaware of their rights and did not have copies of the Convention. What was the reason for that apparent contradiction?

36. In connection with the development of appropriate indicators, it was important to establish how policies relating to children's rights were determined. Was there a special scientific institution which studied children's problems?

37. The CHAIRPERSON asked whether consideration had been given in Azerbaijan to setting up a special ministry to coordinate mechanisms for the implementation of children's rights. Was there a system of public forums for discussion of the Convention and, if so, which aspects of the Convention had given rise to most controversy?

38. Was guidance available to help ensure public understanding of the principles of the Convention? The report identified two causes of the present social situation in Azerbaijan: the war with Armenia and environmental problems resulting from the Chernobyl disaster. Had studies been conducted on the impact of those two factors on children?

39. Ms. KARP suggested that consideration should be given in Azerbaijan to the possibility of establishing an independent, non-official mechanism for monitoring the implementation of the Convention and dealing with complaints.

The meeting was suspended at 11.10 a.m. and resumed at 11.25 a.m.

40. The CHAIRPERSON invited the delegation to give preliminary answers to the questions asked by members of the Committee. More detailed information could be provided in writing at a later date.

41. Mr. KARAYEV (Azerbaijan) said that despite the present difficulties the conditions had been established for compliance with the provisions of the Convention on the Rights of the Child. He pointed out that Azerbaijan had become an independent State only in 1991. Following the ceasefire in the war between Azerbaijan and Armenia in May 1994, the Ministry for Youth and Sport had been established by Presidential Decree. Coordination centres had also been established to work on youth policy issues and a Social Council had been set up to work with children's organizations.

42. Replying to the question concerning the role NGOs had played in the preparation of the Government's report, he said that over 80 different youth groups were currently operating in Azerbaijan. Twelve of them dealt with issues relating to children, acted in defence of their rights and participated in assistance to them. The groups discussed relevant documents and adopted recommendations related to the protection of children. They also played an active role in conducting surveys of public opinion. A survey had been undertaken of refugee and street children, for example.

43. One of the first programmes adopted by the Ministry of Youth and Sport, in cooperation with UNICEF and other international organizations, had been designed to assist the rehabilitation of children traumatized by the war.

44. A special training school had been established to prepare psychologists for work with refugees. Similar training was also provided in higher education institutes. The graduates of those institutes worked directly in refugee camps and helped to train teachers and also other persons who offered direct assistance to children at home.

45. There had been broad public participation in the preparation of Azerbaijan's report and the draft legislation relating to children that was currently before the Parliament. Special discussions had taken place with NGOs and the latter had submitted comments and proposals. The text of the report had been drawn up by the Cabinet of Ministers.

46. Regarding the question of translation of the Convention into languages other than Azeri, he pointed out that a Russian version of the instrument had been provided by international organizations. Twenty per cent of Azerbaijan's territory was currently occupied, however, and that area was inhabited by Azerbaijani citizens of Armenian nationality. Since jurisdiction did not currently extend to the area, distribution of the Convention in the Armenian language was not possible. Once the territory had been recovered, following the successful conclusion of peace talks, an Armenian version would be distributed. Although it was not possible, for economic reasons, to provide schoolchildren with individual copies of the Convention, the text was circulated to every school in the Republic and formed part of the syllabus.

47. Every district or municipal legislative body appointed an official with responsibility for humanitarian affairs and the implementation of treaties, including the Convention on the Rights of the Child. Courses had been

specially designed for the public authorities with the assistance of the United Nations Children's Fund (UNICEF) and other international organizations dealing with children's affairs.

48. Mr. RADJAB V (Azerbaijan) said that the draft law on the rights of the child was as yet incomplete and would probably be submitted to the Parliament for approval in September or October 1997. It had been submitted in its present form to UNICEF for an expert opinion. The bill was closely modelled on the Convention.

49. Owing to the armed conflict, the economic situation in Azerbaijan was extremely unstable. The Parliament had nevertheless adopted a social budget, with 40 per cent of the total funds earmarked for social needs, including children's welfare. For example, 280,000 million manats had been voted for social protection, 81,000 million manats for social security, 245,000 million manats for health services and 6,500 million manats for sports. More detailed figures would be provided later in a written submission.

50. The Cabinet of Ministers had set up a Commission to monitor implementation of the Convention. It was currently composed of members of Parliament and representatives of NGOs and other public and private bodies but would shortly be restructured in the light of the specific requirements of the Convention.

51. In the aftermath of the armed conflict Azerbaijan had received a large amount of assistance from international humanitarian organizations such as UNICEF, the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Food Programme (WFP), the United Nations Development Programme (UNDP) and the International Organization for Migration (IOM). A kindergarten for disabled children financed by the Mobil Oil Corporation and designed by Save the Children had just been opened. Some territories liberated from the invaders had been completely devastated. UNDP and other organizations were helping to rebuild houses and schools so that at least some of the refugees, many of whom were children, could be returned to their homes.

52. The NGOs that were helping to implement the Convention included 80 youth organizations, 18 women's organizations and 16 humanitarian organizations. A new bill on NGOs was being drafted with the help of lawyers from UNHCR.

53. The Children's Fund was a public body. It was basically self-financing but also received continuing assistance from UNICEF.

54. Azerbaijan's new legislation was modelled on United Nations treaties and the laws in force in other countries. The Commission drafting the bill on the rights of the child had studied the corresponding legislation in Turkey, the countries of the former Soviet Union, Germany, Cuba, Bulgaria, Poland, the United Kingdom, the United States and Italy. The Convention was being taken into account in the draft legislation on NGOs, youth organizations, medical insurance, and physical education and sport. Previous legislation was also being amended in the light of the Convention.

55. Mr. KARAYEV said that a Foundation for Disadvantaged Azeri Children and Youth was shortly to be opened in Baku. It was an outstanding example of cooperation between the public authorities, NGOs, international organizations and international corporations developing oil deposits in the Caspian Sea. Orphans and disabled children in the 16 to 18 age group would manage and operate a parcel delivery service using mopeds and other vehicles supplied by UNICEF. They would be selected by the Ministry of Youth and Sport and trained by the Ministry of Education. The oil companies would subsidize the project. Disabled children in the same age group would be trained to provide moral support to children in distress through a Child Help Line.

56. Mr. KOLOSOV noted that the Convention was to be distributed to Armenian-speakers when the occupied territories were recovered. Were there no Armenian-speakers currently under the jurisdiction of Azerbaijan?

57. He stressed the importance of ratifying the 1949 Geneva Conventions, which contained a number of provisions regarding children. Article 38 of the Convention on the Rights of the Child drew attention to the obligations of States parties under international humanitarian law. He wondered why Azerbaijan had not sent a representative to the conference of member countries of the Commonwealth of Independent States (CIS) on international humanitarian law held on 15 and 16 May in Kazan, the capital of Tatarstan in the Russian Federation.

58. If NGOs in Azerbaijan had the right to monitor children's institutions such as remand centres, their situation was incomparably better than that of NGOs in other CIS member countries, including the Russian Federation. He asked for more details of how the system worked.

59. The armed conflict had understandably led to an increase in the number of street children but he felt sure that other factors were involved since they were a phenomenon experienced by all CIS countries.

60. In his view, training courses in children's rights for the public authorities should be held on an ongoing basis and not just on a single occasion.

61. There was a proposal to celebrate International Children's Day annually on 20 November, the date of the adoption of the Convention. Would Azerbaijan consider moving its celebrations from 1 June to 20 November? Had the Convention been mentioned the previous day in the media coverage of National Children's Day?

62. Mrs. KARP asked whether teachers, who might have doubts about the idea of children's rights, were being trained to understand and appreciate the purpose of the Convention. Were training courses provided for local as well as central authorities?

63. How did Azerbaijan define its priorities for implementation of the Convention and were there particular areas in which it would be willing to accept technical assistance?

64. What was the ratio of budgetary appropriations for the social development of children compared with, for example, appropriations for defence? What proportion of international assistance received by Azerbaijan was allocated to children's welfare?

65. Mr. EFENDIYEV (Azerbaijan) said that an Armenian version of the Convention existed but could not be distributed as there were no Armenian-speakers under Azerbaijani jurisdiction. Children of Armenian background were living in the occupied Nagorny Karabakh Autonomous Region.

66. Mr. KARAYEV (Azerbaijan) said that his country had less than five years' experience with democratic institutions. Teachers and children would therefore need time to participate fully in the process of implementing the Convention.

67. He could not speak on behalf of the Ministry of Foreign Affairs but felt sure that the Geneva Conventions would soon be ratified by Azerbaijan. He had not heard of the Tatarstan conference and was therefore unable to explain why his country had not attended it.

68. He had no hesitation in attributing the problem of street children to the impact of the armed conflict. Funds that could have been used to address the problem were being channelled into the effort to liberate the occupied territories. He had provided the Committee with the draft programme for street children which had been prepared by UNICEF and local organizations.

69. Initial training of education personnel working in rural areas had been undertaken with assistance from UNICEF and regional bodies, and would be pursued on a regular basis. More would be done to advertise National Children's Day and to make children more aware of the provisions of the Convention. The family traditions in which some people had grown up were sometimes at variance with the provisions of the Convention, and that had to be taken into consideration, along with the mental attitudes of a country which had lived under Islamic law since the seventh century and Communist law since early in the present century. Both teachers and children would gradually become more aware of the Convention, and the Government was beginning that process with the most intelligent and educated members of society. In cooperation with the United Nations Children's Fund (UNICEF) it had invited psychologists and social workers from Azerbaijani State universities to work in the refugee camps, implementing and explaining the Convention.

70. Mr. RADJABOV (Azerbaijan) said that non-governmental organizations (NGOs) were a new concept for recently independent sovereign States, and one that was not yet fully understood. The Government of Azerbaijan was preparing draft legislation concerning them. The existence of an opposition political party and freedom of the press were two factors helping to identify problems connected with the implementation of the Convention. A commission headed by Deputy Prime Minister Efendiev coordinated the activities of all organizations involved in the implementation of the instrument. The Government's interests and those of the NGOs coincided: both were seeking to identify problems related to the rights of the child. Without the assistance of the NGOs the Government could not do all that was required of it under the Convention.

Forty per cent of the national budget, which was currently in deficit, was allocated to social needs such as health, education and recreation. The exact figures and the proportion specifically allocated to children would be made available to the Committee in writing at a later stage.

71. Mrs. KARP said that her question regarding priorities for international technical assistance had not yet been answered. It was possible under the Convention for a State party to obtain technical assistance from the Centre for Human Rights or any other United Nations agency for a specific project or series of projects. However, the Government of the State party had to make application for that assistance. She wondered if the Government of Azerbaijan had identified sectors for which it might request such assistance.

72. Mr. KARAYEV (Azerbaijan) said that his country had already received technical assistance in areas important for children from international organizations, especially UNICEF and UNESCO. When the Government and NGOs were working on various programmes, they sought the opinions and experience of international organizations and other countries. Every draft of the laws being prepared in relation to the child was sent to other European countries for a second expert opinion.

73. Nearly 1.2 million out of Azerbaijan's total population of some 7.5 million were refugees, and the main target of all assistance to Azerbaijan in relation to the Convention must be those children who were living under extreme conditions as a result of the Armenian occupation.

74. Mr. RADJABOV (Azerbaijan) said that technical assistance was being provided to Azerbaijan in two areas: social and labour rehabilitation programmes for refugees and other categories of people, and institutional and structural reform.

75. UNICEF was helping with health management reforms in one of Azerbaijan's regions and the United Nations Industrial Development Organization (UNIDO) was providing assistance in the Sumgait free economic zone, involving modification of the entire structure of economic management, with new forms of ownership. At present Azerbaijan needed all the assistance it could get: after 2005 the economic situation would improve as a result of the conclusion of a number of oil contracts, but until then conditions would be very difficult. Today Azerbaijan needed donors; tomorrow it itself would be a donor.

76. Mrs. KARP said that she had been interested to learn of the international technical assistance currently being received by Azerbaijan, but she really wanted to know about future projects - what were the Government's priorities?

77. The CHAIRPERSON explained that one of the Committee's responsibilities was to point a State party towards assistance, but it needed to know in what areas assistance was needed. If, for example, a State party was finding it difficult to incorporate the Convention into its domestic legislation, the Centre for Human Rights could assist in that regard, but the request had to come from the country itself. In its report the Committee might recommend that a State party submit a request for technical assistance from a particular agency, but it needed to know what the priority project areas were.

78. She invited the members of the Committee to ask questions concerning "definition of the child" (art. 1), "general principles" (arts. 2, 3, 6 and 12) and "civil rights and freedoms" (arts. 7-8, 13-14 and 37 (a)), questions Nos. 11 to 21 of the list of issues (CRC/C/Q/AZER/1).

79. Ms. MBOI said that she wanted better to understand Azerbaijan's definition of the child. Was there, for example, a minimum age for legal and medical counselling without parental consent, and if so what was that age? Was education compulsory, and if so up to what age? Was there a legal minimum age for sexual consent, and when were sexual relations deemed to be rape? Was there a legal minimum age for enlistment in the armed forces, for criminal responsibility, and for the consumption of alcohol and tobacco? The infant mortality rate of Azerbaijan was reported to have declined and then levelled off in the 1980s, only to rise again in the 1990s. Infant mortality had various causes, some related to economic and social underdevelopment and many preventable. It was one area in which international technical assistance would be appropriate. Did Azerbaijan have a national strategy for the health and nutrition of young women and pregnant women in particular, and for the elimination of preventable, immunizable diseases, which would reduce the rate of infant mortality? Was there any community mobilization to reduce it?

80. Mrs. OUEDRAOGO asked what provisions concerning the minimum age for marriage would be included in Azerbaijan's draft law on the rights of the child. What was the basis for the discrimination on grounds of gender which resulted in the age of consent for sexual relations being 18 years for boys and 17 for girls? The written reply to question 14 of the list of issues, to the effect that there was no discrimination against children in Azerbaijan, was most welcome, but she wondered what happened in practice with so many different ethnic groups living in the country. Did the Government deal in the same manner with all children living in Azerbaijan, including the children of refugees; what problems were encountered in that regard and how were they solved? What measures had been taken to take account of gender balance in the workplace and to ensure that women, especially mothers and refugees, did not lose their jobs? What status did the girl child have in the family, and did she enjoy the same treatment as the boy child in terms of her health and the domestic work that might be expected of her? What measures were being taken by the Government to prevent any such discrimination on the basis of gender?

81. Mr. RABAH asked whether there was a special law distinguishing between the status of a child aged between 16 and 18 and that of one aged under 16. He also wished to know what punishments could be imposed by a juvenile court on children between the ages of 16 and 18 and on those under the age of 14. The written reply to question 31 of the Committee's list of issues had given the number of disabled children under 16 years of age receiving pensions in Azerbaijan as of 1 January 1997; what was the reason for that particular age, and why was it not 18 or 17 years? Was there equality between boys and girls in respect of inheritance law and which was the law applied - was it Islamic law concerning personal status or civil law?

82. Mrs. KARP said it was her understanding that special protection in terms of allowances and treatment for disabled children was available only up to the age of 16 years. If that was correct, why was that so and what was the reason for the choice of that age? With regard to the written reply to question 12

of the list of issues concerning the age at which children could seek redress in court, she said she did not understand why there was a difference between the situation of children under the age of 15 years and that of those over that age. The rights and statutorily protected interests of those under 15 were said to be defended in court by their legal representatives, adoptive parents or guardians, and those of persons aged between 15 and 18 by their natural or adoptive parents or guardians. At what age could a child in Azerbaijan have protection of his interests without that being dependent on whether his or her parents or legal guardians brought the case to court? In what way did Azerbaijan's new legislation really provide a legal basis for a child's voice to be heard and require courts and administrative authorities to take his or her views into account? To what extent did the new legislation really require the decisions of a court or administrative authority dealing with children to be in accordance with their best interests?

83. With reference to non-discrimination and human rights, she considered it highly important that Azerbaijan, a new democracy developing its national institutions and public attitudes, should accede to the other international human rights instruments to which it was not yet a party.

The meeting rose at 1 p.m.